Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-C(ii).

BANGALORE, SATURDAY, JULY 17, 1965
(ASHADHA 26, SAKA ERA 1887)

No. 148

PUBLIC HEALTH LABOUR AND MUNICIPAL ADMINISTRATION SECRETARIAT

THE MYSORE MUNICIPALITIES (REMOVAL OF DIFFICULTIES) (No. 5) ORDER, 1965.

ORDER

Bangalore, dated 17th July, 1965.

S. O. No. 2805.—WHEREAS the names of all members finally elected to the Gulbarga Municipal Committee in the elections conducted on the 12th April 1964, could not be published under Section 32 of the Hyderabad District Municipalities Act, 1956, due to certain stay orders in Writ Petitions Nos. 734 and 811 of 1964 on the file of the High Court of Mysore;

AND WHEREAS an Administrator was appointed for the said Committee under Section 253-A(1) of the Hyderabad District Municipalities Act, 1956, on 6th June 1964;

AND WHEREAS the Writ Petitions aforesaid were dismissed on the 12th March 1965, the names of the

members elected were published in Notification No. PLM 24 MNC 64, dated the 9th April 1965, and the period of appointment of the Administrator ceased on the 22nd May 1965;

AND WHEREAS the rights of the persons elected to the Gulbarga Municipal Committee are saved by the first proviso to sub-section (1) of Section 382 of the Mysore Municipalities Act, 1964;

AND WHEREAS the persons so elected will not be a municipal body constituted and functioning immediately before the commencement of the said Act to which the provisions of Section 381 of the said Act are applicable;

AND WHEREAS in order to give effect to the provisions of the first proviso to sub-section (1) of section 382 of the said Act in so far as it relates to the rights of the aforesaid elected members, it is necessary to remove the difficulty and make provision for the exercise of powers and performance of functions of a municipal body by the body consisting of such elected members;

NOW, THEREFORE, in exercise of the powers conferred by Section 383 of the Mysore Municipalities Act, 1964 (Mysore Act 22 of 1964), the Government of Mysore hereby makes the following Order, namely :—

1. Title.—This Order may be called the Mysore Municipalities (Removal of Difficulties) (No. 5) Order, 1965.

2. Definition.—In this Order, 'Act' means the Mysore Municipalities Act, 1964 (Mysore Act 22 of 1964).

3. Provision relating to Gulbarga Municipal Council.—(1) The members elected to the Gulbarga Municipal Committee whose names have been published in notification No. PLM 24 MNC 64, dated the 9th April 1965, shall, notwithstanding anything contained in the Act, be deemed to be the municipal body constituted under the Hyderabad District Municipalities Act, 1956 (Hyderabad Act 18 of 1956), and shall, subject to the provisions of sub-clauses (2)

and (3), be competent to exercise the powers and perform the duties conferred on a city municipal council under the Act until a city municipal council is duly constituted under the said Act.

(2) A city municipal council shall be duly constituted under the provisions of the Act in respect of Gulbarga City Municipality before the 15th June 1968 and from the date of the first meeting of the said City Municipal Council, the municipal body referred to in sub-clause (1) shall stand dissolved.

(3) Casual vacancies in the seats of councillors of the body referred to in sub-clause (1) shall be filled and all matters in connection with the filling of such vacancies shall be regulated in accordance with the provisions governing the filling of such vacancies and regulating such matters as were in force immediately before the date of commencement of the Act.

[No. PLM 55 MNC 64.]

By Order and in the name of the Governor of Mysore,

L. A. DHAMANIGI, *Deputy Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.